

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

MARY SEGUIN,
Plaintiff

v.

**RHODE ISLAND DEPARTMENT OF
HUMAN SERVICES** in its official
capacity, **MICHAEL D. COLEMAN,**
DEBORAH A. BARCLAY, in their
individual and official capacities; **RHODE
ISLAND OFFICE OF CHILD
SUPPORT SERVICES** in its official
capacity; **LISA PINSONNEAULT,**
CARL BEAUREGARD, in their
individual and official capacities; **GERO
MEYERSIEK,**
Defendants

C.A. No. 1:23-cv-00126-WES-PAS

**STATE DEFENDANTS' OBJECTION TO THE MOTION FOR AN
EXTENSION OF TIME TO AMEND THE COMPLAINT (ECF 12)**

NOW COME the Defendants Rhode Island Department of Human Services and Rhode Island Office of Child Support Services, ("State Defendants") in response to Plaintiff's Motion to Amend the Complaint (ECF 12), which was filed on August 8, 2023 (ECF 40). State Defendants object to Plaintiff's Motion as it is untimely and/or moot.

Plaintiff unnecessarily seeks an enlargement of time to file and serve an Amended Complaint under Federal Rules of Civil Procedure Rule 15(a). To the Rule 15(a)(1) states:

A party may amend its pleading once as a matter of course within:
(A) 21 days after serving it, or

(B) if the pleading is one to which a responsive pleading is required, 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

To the extent Plaintiff seeks an enlargement of time under Rule 15(B), the request is unnecessary in that no responsive pleading has been filed and the twenty-one days has not begun to run. Moreover, the request is overburdensome in that the request for enlargement exceeds the scope of the basis for the request and attempts to argue the merits of any underlying amendment – which has not been provided to the Court or either party.

In *Seguin v. Textron*, 13-cv-12SLM, ECF No. 199 (“Injunction Order”), Plaintiff was enjoined from filing a complaint in the United States District Court for the District of Rhode Island against the Rhode Island Child Support Office, except with leave of court. More recently, Plaintiff was warned to refrain from filing further frivolous motions in *Seguin v. Rhode Island Office of Child Support Services, et. al.*, 1:23-cv-00034-WES-PAS, Text Order dated April 23, 2023. The pleading is but one more example of Plaintiff’s frivolous filings that clogs the docket for her cases and requires needless attention. For the foregoing reasons, State Defendants respectfully request that the Court deny Plaintiff’s Motion for an extension of time of 60 days to file an amended complaint as untimely and/or moot.

Respectfully Submitted,

**RHODE ISLAND DEPARTMENT
OF HUMAN SERVICES; RHODE
ISLAND OFFICE OF CHILD
SUPPORT SERVICES,**

By:

**PETER F. NERONHA
ATTORNEY GENERAL**

/s/ Marissa D. Pizaña

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CERTIFICATE OF SERVICE

I hereby certify that on August 16th, 2023, I filed the within document via the ECF filing system and that a copy is available for viewing and downloading.

/s/ Marissa D. Pizaña